IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17462 of 2004

Between:

Smt. Gousia Begum,

W/o. Sajeed Hassan Khan,
R/o. 1-2-323, Rehmathnagar,

Kazipet, Warangal District.

..... PETITIONER

AND

The Registrar,

Kakatiya University,

Warangal.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction particularly Writ of Mandamus directing the respondent to release all the terminal benefits of its deceased employee i.e. Md. Abdul Jabbar including G.P.F., G.L.I.C. etc., forthwith along with interest from 17-06-98 till the date of payment.

Counsel for the Petitioner: MR.G.RAMACHANDRA REDDY

Counsel for the Respondent: MR.B.NARAYANA REDDY

The Court made the following

ORDER:

The petitioner claims that she is the sister and nominee of the deceased employee of the respondent-University.

The deceased employee died in harness on 17-06-1998 while in service. Subsequently, petitioner made several representations to the respondent-University to release the terminal benefits of the deceased employee in her favour. As she was the nominee of the deceased employee during his lifetime, as his heir, she is entitled for all the benefits like G.P.F. & G.L.I.C. etc.

The grievance of the petitioner is that the respondent-University, so far, did not pass any orders regarding the entitlement of the petitioner for the terminal benefits of the deceased employee. Therefore, she approached this Court through this Writ Petition to direct the respondent to consider her representation dated 07-07-2004 and release the terminal benefits of the deceased employee in her favour.

The deceased employee died in 1998. The terminal benefits are expected to be released in favour of his legal heirs. It is astonishing to note as to why the respondent could not pass any orders regarding the release of the terminal benefits to the legal heirs of the deceased employee. Even after the representation of the petitioner also, the respondent did not pass appropriate orders regarding the claim. The respondent is at liberty to clarify whether the petitioner is entitled for the terminal benefits or not and it would be appropriate on its part to pass orders and to indicate the same to the petitioner to enable her to know whether she gets any terminal

benefits etc., or not. Keeping the matter pending for years together leads to an anxiety to the petitioner, with a legitimate expectation for the said benefits.

In the light of the above circumstances, the respondent is directed to verify the record relating to the deceased employee by name Mohd. Ahmed Jabbar and to consider the representation of the petitioner dated 07-07-2004 and pass appropriate orders according to the existing Rules, within two weeks, from the date of receipt of a copy of this Order and communicate the same to the petitioner.

Accordingly, the Writ Petition is disposed of. No costs.

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Dr. G. Yethirajulu, J

29th September, 2004

Note: Issue CC in one week

B/o.

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To

1. The Registrar, Kakatiya University, Warangal.

2. Two CD copies.